

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

TRACK THREE

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**CVS'S ADDITIONAL PROPOSED MODIFICATIONS TO JURY INSTRUCTIONS**

CVS proposes the attached additional modification to the jury instructions, based on the Oklahoma Supreme Court's decision today in *State of Oklahoma v. Johnson & Johnson, et al.*, 2021 OK 54 (Okla. Nov. 9, 2021). In making this submission, CVS is mindful of the Court's admonition not to raise objections the Court already has decided. CVS preserves, and does not waive, those objections and any other objections it will put on the record before the delivery of the instructions.

Dated: November 9, 2021

Respectfully submitted,

/s/ Eric R. Delinsky

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